

Minutes of the 88th Meeting of the Approval Committee held under the Chairmanship of Zonal Development Commissioner SEEPZ-SEZ, Mumbai for Sector Specific Special Economic Zone for IT/ITES of Magarpatta Township Development And Construction Co. Ltd.-SEZ, Village Hadapsar, Tal. Haveli, Dist. Pune 411013, held on 30.11.2021 via video conferencing.

1	Name of the SEZ	Magarpatta Township Development And Construction Co. Ltd.-SEZ
2	Sector	IT/ITES
3	Meeting No.	88 th
4	Date	30.11.2021

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Pravin Chandra Joint Development Commissioner	Pune Cluster-SEZ, Pune
2	Ratnakar Shelake DCIT-TDS	Nominee of Income Tax, Pune
3	Krishnadas Nair, Foreign Trade Development Officer	Nominee of DGFT, Pune
4	Ms. Savani Kulkarni, Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri B. Ajay Kumar Specified Officer	Magarpatta Township Development And Construction Co. Ltd.-SEZ, Pune

Agenda Item No.01: Confirmation of Minutes of the 87th meeting held on 26.10.2021

After deliberation, the Committee confirmed the minutes of the 87th UAC meeting held on 26.10.2021.

Agenda Item No.02: Monitoring of performance of M/s. Markets And Markets Research Pvt. Ltd.

After deliberation, Committee monitored the performance of the Unit in terms of Rule 54 of SEZ Rules, 2006 and noted that the unit

- (i) has achieved positive NFE of Rs 33483.07Lacs on cumulative basis with employment of 990 during the first block period of 5 years i.e. 2011-12 to 2015-16 and

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- (ii) has achieved positive NFE of Rs 43487.23Lacs on cumulative basis with employment of 1008 during the period of 4 years from 2016-17 to 2019-20 out of 5 years of the second block period (FY 2016-17 to 2020-21).

The Committee further observed that the unit has procured higher value of capital goods in both the block period as compared to the projected Import. However, as per Specified Officer they have overall sufficient balance in their BLUT. The Committee warned the unit for not revising the projection when there is provision in the Rule.

The Committee also directed the unit to file all the pending Softex once condonation is approved by DC office.

Further Committee observed that during the period FY 2011-12, 2012-13, 2013-14 and 2018-19 and 2019-20, the unit had provided "Services" in Domestic Tariff Area (DTA) against payment received in INR totally amounting to Rs. 449.49 Lacs. Unit's representative accepted the fact that they had provided services in DTA against payment received in INR.

Since providing of "Services" in DTA against INR does not qualify as 'Services' as per definition given in Section 2(z) of the SEZ Act, 2005, the unit has violated the provisions of SEZ Act & Rules and hence Committee after deliberation, directed that action be initiated against the unit for violation of various provision of SEZ Act / Rules and under FT (D&R) Act, 1992, by the Development Commissioner.

Further, the Committee also directed the Unit to revise APRs in SEZ online system based on the revised APRs filed by them in hard copy.

Agenda Item No.03: Monitoring of performance of M/s. Dbxento Systems Pvt. Ltd.

After deliberation, Committee monitored the performance of the Unit in terms of Rule 54 of SEZ Rules, 2006 and noted that the unit

- (i) has achieved positive NFE of Rs 15902.60 Lacs on cumulative basis with employment of 675 during the first block period of 5 years i.e. 2011-12 to 2015-16 and
- (ii) has achieved positive NFE of Rs 35636.18Lacs on cumulative basis with employment of 972 during the second block period of 5 years (FY 2016-17 to FY 2020-21).

Committee observed that the unit has imported higher value of capital goods as compared to the projections submitted in both the block period. However, as per Specified Officer report, they had sufficient combined balance in their BLUT except for one instance wherein they had insufficient balance in their BLUT (duty foregone to the tune of Rs. 7.59 Lacs in first block period), post which immediately, the unit had executed additional BLUT. Considering the same as only case in 10 years where unit imported goods without having sufficient balance in BLUT and imported goods have been utilized for the purpose of export within the SEZ area, the Committee condoned the mistake, and warned the unit to ensure that proper monitoring of BLUT be done to avoid such mistakes in future.

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02/12/21

Further, the Committee directed the Unit to revise APRs in SEZ online system based on the revised APRs filed by them in hard copy.

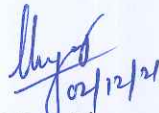
Agenda Item No.04: Monitoring of performance of M/s. BNY Mellon Technology Pvt. Ltd.

After deliberation, Committee monitored the performance of the Unit in terms of Rule 54 of SEZ Rules, 2006 and noted that the unit

- (iii) has achieved positive NFE of Rs 73493.11 Lacs on cumulative basis with employment of 1986 during the first block period of 5 years i.e. 2011-12 to 2015-16 and
- (iv) has achieved positive NFE of Rs 128995.36Lacs on cumulative basis with employment of 1136 during the 4 years i.e. FY 2016-17 to FY 2019-20 out of 5 years of second block period of 5 years (FY 2016-17 to FY 2020-21).

Further, the Committee directed the Unit to revise APRs in SEZ online system based on the revised APRs filed by them in hard copy.

Meeting ended with a vote of thanks to the Chair.


(Shyam Jagannathan, IAS)
Chairman-cum-
Development Commissioner